

REMARKS

Claims 1-6 are pending. By this Amendment, Claim 1 is amended. Support for the amendments are provided in, such as, for example only, page 7, lines 1-5 and Figures 8-11 of the originally filed application. As such, Applicants respectfully submit no new material is presented herein.

Withdrawal of Finality of Last Office Action

Applicants respectfully acknowledge and appreciate the Examiner's granting Applicants request for reconsideration and withdrawal of the finality of the Office Action dated April 28, 2005. Applicants also acknowledge and appreciate the Examiner entering and recording the Response dated June 21, 2005.

Claims 1-6 Recite Patentable Subject Matter

Claims 1-6 are rejected under 35 U.S.C. §103(a) as being anticipated by U.S. Patent Number 5,862,570 to Lezuch et al. in view of U.S. Patent Number 4,194,265 to Zimmermann. Applicants respectfully traverse the rejection.

Claim 1 recites a door checker for an automobile including, among other features a pair of ball holders accommodated in a case that are capable of advancing and retracting toward and away from the opposite sides of a check plate, wherein a projection is integrally formed on a side of each ball holder and resiliently abuts against an inner side of the case, the projection being disposed at a center of and extending away from the side of the ball holder.

As explained on page 7, lines 1-5 and illustrated in Figures 8-11 of the instant application, the projection abuts against the inner side of the cover or case body to suppress the ball holder from chattering within the case.

Applicants respectfully submit Lezuch and Zimmermann, alone or in combination, fail to disclose or suggest such a feature.

Applicants note a detailed discussion of Lezuch is provided in the Response dated January 11, 2005, which is incorporated herein in its entirety. However, the noted discussion does not discuss the failure of Lezuch to teach or suggest a projection being integrally formed on a side of each ball holder (62) and resiliently abutting against an inner side of the case (50), wherein the projection is disposed at a center of and extending away from a side of the ball holder (62). Applicants respectfully submit the ball holder (62) disclosed by Lezuch fails to teach or suggest such a projection. Moreover, in the alternate embodiment illustrated in Figure 6, Applicants note the guide member (80) includes an appendage (82) and a flange (83). The appendage (82) includes a projection disposed at a center of and extending away from an end surface of the appendage (82). However, the projection does not extend away from a side of the appendage (82). The flange (83) includes a pair of projections (i.e., not one projection) extending away from a side of the guide member (80). However, the projections are not disposed at a center of the side of the guide member (80). Moreover, Applicants note the projection extending from the end surface of the appendage (82) snugly fits between the pair of projections extending away from a side of the flange (83) to join the guide members (80, 80) together. Furthermore, upon joining the two guide members (80, 80) together, Applicants note the projections extending from the flange (83) become flush or even with the outer surface of the appendage (82) such that there is no projection extending away from a center of the side of the guide members (80, 80) and resiliently abutting against an inner side surface of the case (50).

Applicants note a detailed discussion of Zimmermann is provided in the Response dated June 21, 2005, which is incorporated herein in its entirety. However, the noted discussion does not discuss the failure of Zimmermann to teach or suggest a projection being integrally formed on a side of each ball holder or end (103, 124) and resiliently abutting against an inner side of the case (101), wherein the projection is disposed at a center of and extending away from a side of the ball holder or end (103, 124). While the ball holder or end (sleeve, 103) includes a projection extending from a center of a side surface thereof, the projection does not resiliently abut against the inner side surface of the case (101) as the projection abuts against the steering arm or check plate (102) instead.

To establish *prima facie* obviousness of a rejection claim, each feature of the claim must be taught or suggested by the applied art of record. See M.P.E.P. §2143.03. As explained above, Lezuch and Zimmermann, alone or in combination, fail to teach or suggest a projection being integrally formed on a side of each ball holder and resiliently abutting against an inner side of the case, wherein the projection is disposed at a center of and extending away from a side of the ball holder, as is recited by independent Claim 1.

Lezuch and Zimmermann fail to teach or suggest each and every feature recited by Claim 1. Accordingly, Claim 1 is not rendered obvious in view of Lezuch and Zimmermann, either alone or in combination. Therefore, Applicants respectfully submit Claim 1 should be deemed allowable.

Claims 2-6 depend from Claim 1. Therefore, Applicants respectfully submit Claims 2-6 should be deemed allowable for at least the same reasons Claim 1 is allowable, as well as for the additional subject matter recited therein.

Applicants respectfully request withdrawal of the rejection.


Conclusion

In view of the foregoing, reconsideration of the application, withdrawal of the outstanding rejection, allowance of Claims 1-6, and the prompt issuance of a Notice of Allowability are respectfully solicited.

Should the Examiner believe anything further is desirable in order to place this application in better condition for allowance, the Examiner is requested to contact the undersigned at the telephone number listed below.

In the event this paper is not considered to be timely filed, the Applicants respectfully petition for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to counsel's Deposit Account No. 01-2300, **referencing docket number 107348-00354.**

Respectfully submitted,
ARENT FOX PLLC



Murat Ozgu
Attorney for Applicants
Registration No. 44,275

Customer No. 004372

1050 Connecticut Avenue, NW, Suite 400
Washington, DC 20036-5339
Telephone: (202) 857-6000
CMM:MO/elp